

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF PENNSYLVANIA
ERIE DIVISION**

BETTE EAKIN, *et al.*,

Plaintiffs,

v.

ADAMS COUNTY BOARD OF ELECTIONS, *et al.*,

Defendants.

Case No. 1:22-cv-00340-SPB

SUPPLEMENTAL STIPULATION

Plaintiffs and the undersigned County Election Boards, by their undersigned counsel, hereby stipulate as follows:

1. The undersigned County Election Boards desire a prompt resolution of this case in order to have direction on how to properly proceed in future elections. Accordingly, while the undersigned County Election Boards neither admit nor deny the allegations of the Complaint, the undersigned County Election Boards do not object to, and stipulate and agree to not contest or appeal, the declaratory and injunctive relief requested by Plaintiffs in this action. The foregoing does not prohibit the undersigned County Election Boards from joining an appeal of a decision of this Court denying Plaintiffs' requested declaratory and injunctive relief or from appealing a decision of the Court imposing sanctions on the undersigned County Election Boards.

2. In the absence of any agreed-upon extension by Plaintiffs, the undersigned County Election Boards stipulate and agree: that they shall not unreasonably impede discovery in this action; that they will answer and respond fully and completely to any written interrogatories, document requests, and requests for admission served upon them by Plaintiffs, limiting objections to the extent reasonably possible to those concerning privilege; and, should Plaintiffs serve any

requests for production, that they will produce to Plaintiffs' counsel all requested nonprivileged items and documents.

3. In exchange for the undersigned County Election Boards' stipulation and cooperation in discovery as stated in the other paragraphs of this Stipulation, Plaintiffs stipulate and agree: to forgo any claim for attorneys' fees and costs against only the undersigned County Election Boards; to refrain from seeking the entry of any default or seek any further response from the undersigned County Election Boards in this case; and to forgo any other relief in this case against the undersigned County Election Boards other than the injunctive and declaratory relief sought in Plaintiffs' Complaint.

4. To the extent the deposition testimony or other sworn statement of the undersigned County Election Boards shall be reasonably necessary for evidentiary purposes, Plaintiffs and the undersigned County Election Boards stipulate and agree to reasonably cooperate with each other to provide such testimony or statement in the least burdensome manner.

Plaintiffs' counsel represent that counsel for all other parties listed below consent to this stipulation.

Dated: February 10, 2023

Adam C. Bonin
**THE LAW OFFICE OF ADAM C.
BONIN**
121 South Broad Street, Suite 400
Philadelphia, PA 19107
Telephone: (267) 242-5014
Facsimile: (215) 827-5300
adam@boninlaw.com

Respectfully submitted,

/s/ Uzoma N. Nkwonta
Uzoma N. Nkwonta*
Justin Baxenberg*
Daniel C. Osher*
Daniela Lorenzo*
Dan Cohen*
Jacob D. Shelly*
ELIAS LAW GROUP LLP
250 Massachusetts Ave. NW
Washington, D.C. 20001
Telephone: (202) 968-4490
unkwonta@elias.law
jbaxenberg@elias.law
dosher@elias.law
dlorenzo@elias.law
dcohen@elias.law
jshelly@elias.law

* Admitted *pro hac vice*

Counsel for Plaintiffs

**ALLEGHENY COUNTY BOARD OF
ELECTIONS**

Dated: February 10, 2023

/s/ George M. Janocsko
George M. Janocsko (PA 26408)
Allan J. Opsitnick (PA 28126)
Lisa G. Michel (PA 59997)
Allegheny County Law Department
445 Fort Pitt Boulevard
Fort Pitt Commons Suite 300
Pittsburgh, PA 15129
george.janocsko@alleghenycounty.us
opsitnick@opsitnickslaw.com
lisa.michel@alleghenycounty.us
(412) 350-1120

ARMSTRONG COUNTY BOARD OF
ELECTIONS

Dated: February 10, 2023

/s/ Andrew J. Sacco
Andrew J. Sacco, Esq.
PA ID#312053
160 North McKean Street
Kittanning, PA 16101
Tel. (724) 543-1469
Fax (724) 545-1611
sslaw@windstream.net

BEAVER COUNTY BOARD OF ELECTIONS

Dated: February 10, 2023

/s/ Garen Fedeles
Garen Fedeles, Esq.
Beaver County Solicitor
810 Third St.
Beaver, Pa 15009
724-770-4445 (phone)
724-773-7268 (fax)

BUCKS COUNTY BOARD OF ELECTIONS

Dated: February 10, 2023

/s/ Amy M. Fitzpatrick
Amy M. Fitzpatrick (pro hac vice) (PA 324672)
Daniel D. Grieser (PA 325445)
Law Department – County of Bucks
55 E. Court St., 5th Floor
Doylestown, PA 18901
amfitzpatrick@buckscounty.org
ddgrieser@buckscounty.org

CAMBRIA COUNTY BOARD OF ELECTIONS

Dated: February 10, 2023

/s/ William Gleason Barbin
William Gleason Barbin
Melissa A. Kestermont
Solicitor's Office
Cambria County Courthouse
200 South Center Street
Ebensburg, PA 15931
(814) 472-1607

CAMERON COUNTY BOARD OF ELECTIONS

Dated: February 10, 2023

/s/ Edwin W. Tompkins III
Edwin W. Tompkins III, Esq.
Cameron County Solicitor
PA Supreme Court No. 41273
P.O. Box 31
Emporium, PA 15834
Telephone: (814) 486-1532
E-mail: ewtompkinslaw@gmail.com

CHESTER COUNTY BOARD OF ELECTIONS

Dated: February 10, 2023

/s/ Colleen M. Frens
Colleen M. Frens (pro hac vice) (PA 309604)
Faith Mattox-Baldini (PA 323868)
Chester County Solicitor's Office
313 W. Market Street, Suite 6702
West Chester, PA 19382
T 610.344.6195
cfrens@chesco.org
fmattoxbaldini@chesco.org

CLINTON COUNTY BOARD OF ELECTIONS

Dated: February 10, 2023

/s/ Larry E. Coploff
Larry E. Coploff, Esq.
Clinton County Solicitor
No. 26075
136 E. Water St.
Lock Haven, PA 17745
(570) 747-7771
lec@crwlaw.net

DELAWARE COUNTY BOARD OF
ELECTIONS

Dated: February 10, 2023

/s/ J. Manly Parks
J. Manly Parks (74647)
Nicholas M. Centrella, Jr. (326127)
Duane Morris LLP
30 South 17th Street
Philadelphia, PA 19103
Tel.: (215) 979-1000
JMParks@duanemorris.com
NMCentrella@duanemorris.com

ELK COUNTY BOARD OF ELECTIONS

Dated: February 10, 2023

/s/ Thomas G. Wagner
Thomas G. Wagner, Esq.
Solicitor
County of Elk
Supreme Court I.D. No. 17404
115 Lafayette Street
St. Marys, PA 15857
(814) 781-3445

FAYETTE COUNTY BOARD OF ELECTIONS

Dated: February 10, 2023

/s/ John M. Purcell
John M. (Jack) Purcell, Esquire
55 East Church St., Suite 101
Uniontown, Pa. 15401
724-437-2711
(724) 880-5118 (Cell)
jackpurcell146@gmail.com

FOREST COUNTY BOARD OF ELECTIONS

Dated: February 10, 2023

/s/ Timothy R. Bevevino
Timothy R. Bevevino, Esquire
Swanson, Bevevino and Sharp, P.C.
311 Market Street
Warren, PA 16365
(814) 723-2080
(814) 723-6939 fax

GREENE COUNTY BOARD OF ELECTIONS

Dated: February 10, 2023

/s/ Robert Eugene Grimm
Robert Eugene Grimm, Esquire
Greene County Board of Elections
93 East High Street, 3rd Floor
Waynesburg, PA 15370
724-569-2819

LACKAWANNA COUNTY BOARD OF ELECTIONS

Dated: February 10, 2023

/s/ Lawrence J. Moran, Jr.
Lawrence J. Moran, Jr., ID No. 316253
JOYCE, CARMODY & MORAN, P.C.
9 N. Main Street, Suite 4
Pittston, PA 18640
Phone: 570-602-3560
Fax: 570-602-3561
E-mail: ljm@joycecarmony.com

LEHIGH COUNTY BOARD OF ELECTIONS

Dated: February 10, 2023

/s/ Catharine M. Roseberry
Catharine M. Roseberry, Esquire
Assistant Solicitor
PA Atty ID #40199
Lehigh County Government Center
17 S. 17th Street
Allentown, PA 18101
610.782.3180
catharinerosberry@lehighcounty.org

LUZERNE COUNTY BOARD OF ELECTIONS

Dated: February 10, 2023

/s/ Joseph M. Cosgrove
Joseph M Cosgrove
Selingo Guagliardo LLC
345 Market Street
Kingston PA 18704
(570) 287-2400 (telephone)
Atty No. 37130
jcosgrove@getyourselfagoodlawyer.com

LYCOMING COUNTY BOARD OF ELECTIONS

Dated: February 10, 2023

/s/ J. David Smith
McCORMICK LAW FIRM
J. David Smith,
PA I.D. No. 27813
835 West Fourth Street
Williamsport, PA 17701
(570) 326-5131
(570) 326-5529 (fax)
dsmith@mcclaw.com

MONTGOMERY COUNTY BOARD OF
ELECTIONS

Dated: February 10, 2023

/s/ John A. Marlatt
John A. Marlatt (PA 210141)
Maureen Calder (pro hac vice) (PA 68055)
Montgomery County Solicitor's Office
PO Box 311
Norristown, PA 19404

NORTHAMPTON COUNTY BOARD OF
ELECTIONS

Dated: February 10, 2023

/s/ Richard E. Santee
Richard E. Santee, Assistant Solicitor
PA Attorney I.D. 310004
County of Northampton
669 Washington Street
Easton, PA 18042
Phone: (610) 829-6350
Fax: (610) 559-3001
rsantee@northamptoncounty.org

SOMERSET COUNTY BOARD OF ELECTIONS

Dated: February 10, 2023

/s/ Michael P. Barbera, Esq.
Michael P. Barbera, Esq.
Court Admin Cert. No.: 312378
146 West Main Street
P.O. Box 775p
Somerset, Pennsylvania 15501-0775
Tel: (814) 443-4681

SULLIVAN COUNTY BOARD OF ELECTIONS
WYOMING COUNTY BOARD OF ELECTIONS

Dated: February 10, 2023


/s/ Kenneth R. Levitzky
Kenneth R. Levitzky, Attorney at Law
125 Churchill St. Box 489
Dushore, Pa 18614
Attorney ID # Pa 30117
Solicitor for the Sullivan and Wyoming Counties
Boards of Elections
Telephone: 570-928-8288
Facsimile: 570-928-7677
Email: krllaw@epix.net

WARREN COUNTY BOARD OF ELECTIONS

Dated: February 10, 2023

/s/ Nathaniel J. Schmidt
Nathaniel J. Schmidt, Esq.
Solicitor for Warren County
315 Second Avenue, Suite 704
P. O. Box 746
Warren, PA 16365
Telephone: 814-723-8665
Facsimile: 814-723-3413
contact@theschmidtllawfirm.com

It is so ordered this 13th day of February, 2023.


Susan Paradise Baxter
United States District Judge